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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/809,151	03/25/2004	Antony Manoj Justin	200316482-1	7395

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HEWLETT PACKARD COMPANY
P O BOX 272400, 3404 E. HARMONY ROAD
INTELLECTUAL PROPERTY ADMINISTRATION
FORT COLLINS, CO 80527-2400

EXAMINER

KOYAMA, KUMIKO C

ART UNIT PAPER NUMBER

2876

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Please find below and/or attached an Office communication concerning this application or proceeding.

H.A

Office Action Summary	Application No. 10/809,151	Applicant(s) JUSTIN, ANTONY MANOJ	
	Examiner Kumiko C. Koyama	Art Unit 2876	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>0304</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because it includes improper language, such as "is provided." Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 2, 4-7, 9-13, 15-17 and 19-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Pitroda (US 5,884,271).

Re claims 1 and 4: Pitroda discloses a universal electronic transaction (UET) card, which includes a microprocessor (col 2, lines 48-51). Pitroda discloses a memory means for storing information, including personal information for the user, account information for a plurality of service institution in which the user has an account, and transactional information for each service institution for which account information exists, into the memory means (col 18, lines 34-40). As shown in Fig. 3, RAM, ROM and non-volatile RAM 34 are all coupled to the microcontroller (col 11, lines 38-40). Pitroda teaches that the UET stores social security number (col 2, lines 53-54), drivers license (col 1, lines 34-35) and bank account numbers (col 3, lines 15-20). Fig. 3 shows that Input/Output port management 33 is also coupled to the memory and

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processor. Pitroda also teaches an LCD type full display 10, contacts 13, speaker/beeper 16 and function keys displayed on the LCD (Fig. 1). Fig. 3 also shows that the display 30, speaker/beeper 37, pins contact 38, and IR/RF option 39 are all coupled to the microcontroller 33 (Fig. 3).

Re claim 2: As described above, Pitroda discloses a display on the card, a function key, a transceiver (IR/RF option), a data port (I/O port management), an audio input/output (speaker/beeper).

Re claim 5: Fig. 1 shows alphanumeric keys and a toggle key to browse menu items presented on the display (Fig. 1).

Re claim 6: Pitroda discloses a touch-sensitive LCD display (col 4, lines 1-5).

Re claim 7: As described above, Pitroda discloses an IR/RF option.

Re claim 9: Pitroda teaches a club membership account number (col 2, lines 56-57), a social security number, which is a tax identification number, and medical identification number (col 3, lines 19-20), which is a medical record. Pitroda also teaches entering a PIN number, which is a password, that is stored in the card when the user inputs it into the card (col 14, lines 7-18).

Re claims 10, 16 and 17: Pitroda teaches an IR/RF option. Pitroda also discloses communication means for electronically communicating information, including personal information, account information, and transactional information with service institutions (col 18, lines 40-45). Pitroda further discloses transmitting and receiving information for a plurality of service institution (col 3, lines 1-10).

Re claims 11, 12, 13 and 15: Pitroda further discloses that a variety of security mechanisms is built into the UET card to avoid access to confidential information as well as to avoid fraud. During initialization the user is requested to select a unique authorization code, which may be up to 10 digits. The user-programmed authorization code is intended to be maintained by the user in confidence, much like PIN numbers used in connection with ATM cards. Whenever desired, access to information stored in the card or the ability to use the card can be blocked, unless the proper authorization code is entered. Once the UET card is initialized with a signature and an authorization code it is ready for normal use (col 14, lines 5-20).

Re claims 19, 21-25 and 27: Pitroda discloses a universal electronic transaction (UET) card, which includes a microprocessor (col 2, lines 48-51). Pitroda discloses a memory means for storing information, including personal information for the user, account information for a plurality of service institution in which the user has an account, and transactional information for each service institution for which account information exists, into the memory means (col 18, lines 34-40). As shown in Fig. 3, RAM, ROM and non-volatile RAM 34 are all coupled to the microcontroller (col 11, lines 38-40). Pitroda teaches that the UET stores social security number (col 2, lines 53-54), drivers license (col 1, lines 34-35) and bank account numbers (col 3, lines 15-20). Fig. 3 shows that Input/Output port management 33 is also coupled to the memory and processor. Pitroda also teaches an LCD type full display 10, contacts 13, speaker/beeper 16 and function keys displayed on the LCD (Fig. 1). Fig. 3 also shows that the display 30, speaker/beeper 37, pins contact 38, and IR/RF option 39 are all coupled to the microcontroller 33 (Fig. 3). Pitroda teaches an IR/RF option. Pitroda also discloses communication means for electronically communicating information, including personal information, account information,

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and transactional information with service institutions (col 18, lines 40-45). Pitroda further discloses transmitting and receiving information for a plurality of service institution (col 3, lines 1-10). Pitroda further discloses that a variety of security mechanisms is built into the UET card to avoid access to confidential information as well as to avoid fraud. During initialization the user is requested to select a unique authorization code, which may be up to 10 digits. The user-programmed authorization code is intended to be maintained by the user in confidence, much like PIN numbers used in connection with ATM cards. Whenever desired, access to information stored in the card or the ability to use the card can be blocked, unless the proper authorization code is entered. Once the UET card is initialized with a signature and an authorization code it is ready for normal use (col 14, lines 5-20).

Re claim 20: Pitroda discloses a touch-sensitive LCD display (col 4, lines 1-5).

Re claim 28: Service institution includes governmental agency, bank transactions etc (col 3, lines 3-12).

Re claim 26: Pitroda teaches that the UET sends a PIN number to the service and the service authorizes a transaction (col 17, lines 1-37). Such service is a lock mechanism for locking and unlocking a transaction initiated by the UET owner.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3, 8 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pitroda in view of Baratelli (US 6,325,285).

Pitroda fails to teach a biometric identification mechanism.

Baratelli teaches a smart card having a sensing surface 110, which constitutes part of a fingerprint reader that is adapted to generated electrical signals representative of the fingerprint of a finger placed on sensing surface 110 (col 3, lines 55-60).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Baratelli to the teachings of Pitroda in order to order to confirm that the person using the card is an authorized user such as the card owner, and to increase the level of security by utilizing unique features of a person that cannot be duplicated.

6. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pitroda in view of Gangi (US 6,293,462, as cited by the Applicant) and Hasegawa (US 5,055,662).

Pitroda fails to teach to teach a card having an optical sensor and a magnetic strip.

Gangi teaches a wallet consolidator including a bar code scanner 180 for scanning bar codes (Fig. 3).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Gangi to the teachings of Pitroda because bar code scanner are used to scan a bar code on a face of identification, credit, debit, an dother types of cards, and to stored the bar code in memory of the card in fast manner with reduced error rate.

Pitroda as modified by Gangi fails to teach a magnetic strip on the card.

Hasegawa teaches a card having a magnetic strip 5 (Fig. 2).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Hasegawa to the teachings of Pitroda as modified by Gangi because many point of sale terminals are accompanied with a magnetic strip readers, and therefore, by modifying the teaching, the card is capable of accommodating readily available card readers and thereby, increasing the number of places the card can be utilized.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Burchette, Jr., U.S. Patent Application Publication No. 2003/0106935, discloses transaction card system having security against unauthorized usage.

Nguyen et al., U.S. Patent Application Publication No. 2005/0130728, discloses personal gaming device and method of presenting a game.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kumiko C. Koyama whose telephone number is 571-272-2394. The examiner can normally be reached on Monday-Friday 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 571-272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kumiko C. Koyama
Kumiko C. Koyama
November 14, 2005


KARL D. FRECH
PRIMARY EXAMINER